REMARKS

Claims 1-18 are pending in the application. Claims 10 and 17 have been amended.
Claims 1, 10, 17 and 18 are independent claims.

The 35 U.S.C. §101 Rejections

On page 2 of the Office Action, the Examiner has rejected claims 10 and 17 under 35
U.S.C. §101 as directed to non-statutory subject matter. Claims 10 and 17 have been
amended herein to further define the claimed invention. In light of these amendments, the
Examiner is respectfully requested to reconsider and withdraw the rejection of claims 10 and
17 under 35 U.S.C. §101.

The 35 U.S.C. §103 Rejections

On page 2 of the Office Action, the Examiner has rejected claims 1-8 and 10-18 under
35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 4,847,604 to Doyle in view of
U.S. Patent No. 6,122,012 to Segman.

The Present Invention

The present invention is directed to control area selection and a computing device
with a graphical user interface, in which each of several different selectable control areas is
associated with a single different color in a color mask stored in the device memory. The
color mask is made up of separate regions, each of which correspond to one of the control
areas and each of which are colored using only one of the unique colors. Each of the device
control actions is represented by a different one of the colors using a predefined look up

table. Thus, instead of making a loose rectangular approximation to a control key or button, as is done in the prior art, the present invention uses a color mask with a region preferably exactly corresponding in shape and size to that of the control key or button to be created and stored in memory. Each region is completely filled with a different color.

U.S. Patent No. US 4,847,604 to Doyle

U.S. Patent No. 4,847,604 to Doyle ("Doyle") teaches a computer graphic interface that allows a user to obtain descriptive information concerning a feature of a displayed image or object by pointing to the location of the feature. For each object displayed, Doyle identifies all of the colors in the object and provides a color index for each color of the object.

U.S. Patent No. US 6,122,012 to Segman

U.S. Patent No. US 6,122,012 to Segman ("Segman") teaches a method of controlling the colors in a digital video image by modifying all the pixels of a single color at one time.

The Examiner Has Not Established a *prima facie* Case of Obviousness

The claimed invention is not taught by the combination of Doyle and Segman. Each independent claim of the present invention recites (a) representing each of a set of device control <u>actions</u> by a single <u>different</u> <u>color</u> from a set of unique colors using a predefined lookup table and (f) establishing or performing the device <u>control action which is associated</u> <u>with the same color</u> as the retrieved color. Neither Dolye nor Segman teaches or suggests these limitations.

It is impossible for Doyle in view of Segman to represent, identify or associate a

particular portion of a display simply with a unique color. Each pixel of the display screen of

Doyle is assigned an index number that corresponds to a unique <u>combination</u> of the color of

that pixel and a text label for the portion of the display screen in which the pixel is located.

Although the Examiner repeatedly refers to the text pointer table 27 of Fig. 2 of Doyle as a

color mask, the text pointer table 27 has nothing to do with any type of color. Rather, the text

pointer table 27 stores only data regarding the <u>text string</u> corresponding to each index

number, with each text string containing a text label for the portion of the display screen in

which the pixel is located. For example, the text pointer table 27 of Fig. 2 illustrates that

index 31 corresponds to string 1, which contains the label "CHAIR".

On the other hand, an entirely separate table, color map 25, stores the data regarding a

<u>non-unique</u> color corresponding to each index number. For example, the color map 25 of

Fig. 2, illustrates that index 31 has a color of Red 255, Green 255, Blue 255 and further

illustrates that index 63 has the same color as index 31, specifically Red 255, Green 255,

Blue 255. Thus, a color alone is not enough to uniquely identify a particular index number or

a particular portion of the display. Even if individual each portion of the display in Doyle

could be considered a control <u>action</u>, the portions of the display are not represented by a

<u>single</u> <u>different</u> <u>color</u> from a set of unique colors and are not associated with any color, as

recited in each independent claim of the present application. Segman does not make up for

this deficiency in Doyle. For this reason, Doyle in view of Segman does not teach or suggest

the present claimed invention.

Additionally, neither Doyle nor Segman discloses any type of control action that

corresponds to a portion of a display screen. The Examiner repeatedly refers to the image 21

of Doyle as a control <u>action</u> as recited in the independent claims of the present application.

However, the image 21 of Doyle is only a single image on a video display 11.   Additionally,

although portions of the image 21 of Doyle are associated with text string labels such as

"CHAIR" and "LAMP", the portions of the display are also not control <u>actions</u>. Nowhere

does Doyle teach or suggest any type of <u>action</u> that corresponds to the individual portions of

the display area of Doyle. Rather, the individually labeled portions of the display area 11 of

Doyle are simply portions of the image 21, nothing more. Thus, Doyle does not teach or

suggest any type of control <u>action</u> that is represented by and associated with single different

color from a set of unique colors as recited in each independent claim of the present

application. Segman does not make up for this deficiency in Doyle. For this additional

reason, Doyle in view of Segman does not teach or suggest the present claimed invention.

      Nothing in Doyle or Segman remotely teaches or suggests the representing of each of

a set of device control actions by a single different color from a set of unique colors using a

predefined look up table, associating each of a plurality of selectable control areas of a

display with only one of the different colors in a color mask and establishing the control area

and the device control action which is associated with the same color as a retrieved color.

These elements are expressly claimed in each of the independent claims. Thus, since these

claimed elements are not taught or suggested by Doyle or Segman, and since each of these

elements are claimed in the independent claims, all of the claims patentably define over

Doyle in view of Segman under 35 U.S.C. §103 and are in condition for allowance. The

Examiner is respectfully requested to reconsider and withdraw the rejection of claims 1-18.

Summary

In view of the foregoing amendments and remarks, applicant respectfully requests entry of the amendments, favorable reconsideration of the application, withdrawal of all rejections and objections and that claims 1-18 be allowed at an early date and the patent allowed to issue.

Respectfully submitted,

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